

REMARKS/ARGUMENTS

RECEIVED
CENTRAL FAX CENTER

AUG 08 2006

A. Summary of the Amendment

Reexamination and reconsideration are courteously requested. Claims 1 to 10 are pending for the Examiner's consideration, with claim 1 being an independent claim.

B. Rejections Under 35 U.S.C. § 103(a)

Claims 1 to 10 are rejected as being unpatentable over U.S. Patent No. 5,814,089 (Stokes) in view of U.S. Patent No. 6,058,331 (King). These rejections are respectfully traversed.

Claim 1 recites a system that includes a central module, a satellite module connected to the central module by way of a first lead, and a plurality of second leads (for tissue interaction) extending from the satellite module. The implantable satellite module includes a switching module that, in response to a processor, *selectively* distributes or receives signals to or from the plurality of second leads. These features are not taught or suggested by the combination of Stokes and King. More particularly, the combination of Stokes and King fails to teach or suggest a satellite module that includes the features recited in claim 1.

Although Stokes is directed to a central control module 25, and a plurality of satellite modules 26-29, the satellite modules 26-29 are not equipped with switching modules, especially switching modules adapted to selectively distribute or receive signals to or from a plurality of leads. As depicted in FIG. 1 of Stokes, each remote unit 26-29 is disposed in a particular area of a heart (or other body region), so there is no need for a switching unit in each remote unit to discriminate between which heart region to send or receive signals to or from (see col. 3, lines 33 to 41). Stokes does indicate that each of the remote devices 26-29 may include more than one electrode (col. 3, lines 48 to 51), however this in no way indicates that the electrodes from a single remote device would function selectively or discriminatively with respect to one another. All the electrodes are situated in the same heart region, and appear to work together for delivering or receiving signals.

With respect to the above argument regarding the remote device in Stokes failing to include a switching module that *selectively* distributes or receives signals to or from the plurality of second leads, the Examiner asserts:

"in Figure 3A (of Stokes), the controller 60 is connected to the voltage/current drivers (61), which the examiner considers to be a switching module that selects and distributes signals received from the controller 60 to the electrodes 64."

It is respectfully pointed out that the controller 60 to which the Examiner refers is located in a remote device 50, which corresponds to the satellite modules 26-29 depicted in FIG. 1. As explained at col. 3, lines 48 to 51 of Stokes, these satellite modules 26-29 are devoted to discrete regions of the heart. Thus, there is no need for the voltage/current drivers (61) select particular electrodes directed to particular heart regions. Stokes makes no mention of the controller 60 and drivers 61 functioning together to do anything other than delivering stimulus pulses to electrodes, and receiving sensed information from the electrodes. There is no discussion whatsoever that the controller or the drivers is capable of doing this selectively (i.e. selecting one or more electrodes from a plurality of leads/electrodes through which signals are sent or received). Rather, from reading Stokes it is clear that the central controller 25 selects which of the satellite modules 26 to 29 and their respective electrodes to power, and the specific parameters for each satellite module signal. King does not disclose any type of switching element in a remote device, and therefore fails to compensate for the deficient teachings of Stoke. For at least this reason, claim 1 is not unpatentable over Stokes in view of King.

Claim 1 also recites that a lead connects the satellite module to the central control module. In contrast, Stokes is focused on wireless communication between the central module 25 and the remote or satellite modules 26-29 (i.e. col. 6, lines 41 to 45). The Examiner cites King for disclosing:

"that it is known to use either telemetry downlink or direct leads as set forth in column 7, line 62, for the purpose of transmitting data."

King is not pertinent to the aspect of communication between two control modules as is the case in Stokes and in the present invention. Rather, King is merely directed to transmitting

sensor signals to an amplifier, for which purpose either a lead or a telemetry downlink would be appropriate. In the present case, the lead is required to communicate between a central controller and a complex remote module that includes many electrical components, including those set forth in claim 1. Further, as set forth in claim 2, the central module transmits both data and power to the satellite module, requiring a lead to provide a power signal. In contrast, it is pointed out that each of the remote units in Stokes include their own power supply, as is evident from viewing FIGs. 3A and 3B. For this additional reason, at least claims 2 to 5 are not obvious over Stokes in view of King (claims 3 to 5 depend directly or indirectly from claim 2). For this and the previously discussed reasons, it is therefore respectfully requested that the rejections of claims 1 to 10 be withdrawn.

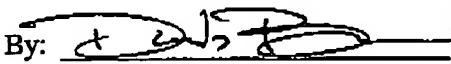
C. Conclusion

In view of Applicant's amendments and remarks, it is respectfully submitted that Examiner's objections and rejections have been overcome. Accordingly, Applicants respectfully submit that the application is now in condition for allowance, and such allowance is therefore earnestly requested. Should the Examiner have any questions or wish to further discuss this application, Applicants request that the Examiner contact the Applicants attorneys at the below-listed telephone number. If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent abandonment on this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

Dated: Aug. 8, 2006

By: 
David K. Benson
Reg. No. 42,314
(480) 385-5060